**2**002/002

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

RICHMAR CONTROLS AND SERVICES COMPANY, INC.,

> STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Plaintiff.

Case No. 11 CV 5802 (PED)

-against-

LIBERTY MUTUAL INSURANCE COMPANY,

Defendant.

Pursuant to Fed. R. Civ. Proc. 41(a)(1), Plaintiff and Defendant hereby stipulate that the above-captioned action is dismissed without prejudice. Each party shall bear its own costs and expenses. This stipulation may be executed in counterpart, each of which shall be deemed to be an original,

DUANE MORRIS, LLP

ian L Markowitz, Esq.

1540 Broadway

New York, New York 10036

(212) 471-1810

Attorneys for Defendant

Date:

WELBY, BRADY & GREENBLATT, LLP

By:

Robert W. Bannon, II, Esq. 11 Martine Avenue, 15th Floor White Plains, New York 10606

(914) 428-2100

Attorneys for Plaintiff

Date: 5/8/12